

The Madison County Plan Commission on the above date at 9:00 A.M. with Bill Maxwell, President, presiding.

Members Present: Bill Maxwell, Paul Wilson, Phil Isom, Larry Crenshaw, John Orick, John Simmermon, Patrick Manship, Mark Gary and Wesley Likens.

Members Absent: None

Also Present: Cory Wilson, Executive Director. Judy King, Plan Reviewer, Gerald Shine, Jr., Attorney, and Beverly Guignet, Secretary.

Current Business

1. Roll call was taken with all members being present.
2. The minutes of the preceding meeting were distributed to each member prior to the meeting. Member Likens made a motion to approve the minutes. Member Simmermon seconded the motion. The vote was unanimous in favor of the motion.

New Business:

1. **Petition:** **2009-Z-1 Zoned: CR**
Address: 5260 South SR 67
Location: East side of SR 67, approximately ¼ mile north of CR 600 South
Petitioner: Douglas Cummins Contact: Monica Neff
Request: Rezone 0.625 acres from CR (Conservation Residential) to GC (General Commercial).

No one was present representing this request.

Director Wilson informed the Board this had gone before the Technical Review Committee and they had asked for additional information. The Board had rezoned property to the north about a year ago. The existing structures will probably have to be torn down and when redeveloped, the size the lot may be a hindrance.

Staff has asked that they come back with more specific plans to present to the Technical Review Committee.

There were no remonstrators present.

Member Wilson made a motion to continue Petition #2009-Z-1 until the October meeting.

Member Orick seconded the motion.

The vote was unanimous in favor of the motion. **Petition #2009-Z-1 has been continued until the October meeting**

2. **Petition:** **2009-W-05 Zoned: AG**

Address: ¼ mile south of CR 600 North, on the west side of CR 800 West
Location: ¼ mile south of CR 600 North, on the west side of CR 800 West
Petitioner: Thomas Neese, William Neese Contact: Precise Land Surveying
Request: Waiver to provide for a 2.825 acre lot with 50 feet of road frontage (minimum 100 feet of road frontage required).

Thomas Neese and Keith Van Wienen from Precise Land Surveying were present representing this request.

Mr. Van Wienen told the Board this is a 50 acre tract of land and they are wanting to split out the house and outbuildings.

The existing house sits approximately 180 feet off of the road down a private lane. This 50 foot wide driveway is not an easement and is a part of the deed. Only one split is being done as they want to preserve as much farm ground as possible.

Since this crosses a County Drain this would need to go before the Drainage Board for a non enforcement agreement.

Mr. Neese, 8472 W 600N.

Mr. Neese told the Board he would have no problem with signing a non enforcement agreement stating he would be liable for payment of any repairs on the drain.

There were no remonstrators present.

Member Wilson made a motion to approve Petition #2009-Z-1 subject to the non enforcement agreement on the drain and per the staff report.

Member Manship seconded the motion.

The vote was unanimous in favor of the motion. **Petition #2009-Z-1 has been approved.**

3. **Petition:** 2009-W-06 **Zoned:** CR
Address: East side of CR 50 East at CR 650 South
Location: East side of CR 50 East at CR 650 South
Petitioner: David & Judy Martin Surveyor: John Manship
Request: Waiver of the Subdivision Control Ordinance to provide for a 305.55' wide by 1320' long lot (lots not permitted to be longer than 3.5 times the width, or in this case 1,069.4 feet).

No one was present representing this request.

Director Wilson told the Board notices for this did not go out in a timely manner. State Statute requires all notices be mailed ten days prior to the scheduled hearing. The petitioners did not meet this requirement.

There were no remonstrators present.

Member Wilson moved to continue Petition #2009-W-06 and that proper notification given before the next meeting.

Member Orick seconded the motion.

The vote was eight yes; Wilson, Maxwell, Likens, Simmermon, Orick, Isom, Gary and Crenshaw. One abstain; Manship. The motion carried. **Petition #2009-W-06 has been tabled until October.**

4. Miscellaneous

Mr. Shine told the Board the K.C.C.A. hearing has been set for January 30 and 31, 2010. It has also been set for some hearings the last week of October.

Last month we talked about Rafert Farms and Director Wilson has a letter from the landowner requesting it be rezoned back to agricultural (AG) from a PUD classification.

Director Wilson stated he would go before the Commissioners at their next meeting and the PUD Ordinance zoning could be rescinded.

Also, needing addressed is Madison Landing and The Hamptons. Their PUD zoning also needs to be rescinded as they are not going to be developed and noted nothing has not been done in three to five years.

Mr. Shine suggested the Planning Commission have a written statement of approval stating nothing has taken place since approved and this property should revert back to agricultural. A new ordinance could be presented to the County Commissioners for approval. This would include the Hamptons and Madison Landing.

Member Likens move to forward Rafert Farms to the County Commissioners and to rescind the PUD zoning as required by the Madison County Comprehensive Plan.

Member Simmermon seconded the motion.

The vote was unanimous in favor of the motion.

Member Wilson made a motion, seconded by Member Orick to adjourn. The vote was unanimous in favor of the motion.

Adjournment: 9:31:40 A.M.

Bill Maxwell, President

Beverly Guignet, Secretary